

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 5, 10, 11, 12, and 16 are currently pending. Claims 2-4 and 13-15 have been canceled without prejudice or disclaimer; and Claims 1, 5, 11, and 12 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.<sup>1</sup>

In the outstanding Office Action, Claim 3 was rejected under 35 U.S.C. § 112, second paragraph, regarding a question of antecedent basis; Claims 1-5 and 11-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,462,778 to Abram et al. (hereinafter “the ‘778 patent”); Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘778 patent; and Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘778 patent in view of U.S. Patent No. 6,862,038 to Anderson (hereinafter “the ‘038 patent”).

Regarding the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph, it is respectfully submitted that the rejection of that claim is rendered moot by the present cancellation of Claim 3.

Amended Claim 1 is directed to an imaging apparatus, which creates an image file and is associated with an external memory, comprising:

a connector configured to attach and detach said external memory in which a plurality of information files are stored, each of the plurality of information files including first information data related to an item being described in advance, and one of a switching attribute, an information data changing attribute and an information data replacement attribute being defined corresponding to each of the plurality of information files;

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<sup>1</sup> See, e.g., page 16, line 20 to page 17, line 18; page 17, lines 24-26; page 19, lines 16-18; and page 21, lines 8-10 of Applicant’s specification; originally filed Claims 2-4; and Figure 10.

a first display device configured to display said plurality of information files stored in the external memory attached by the connector;

a first selection device configured to select one of the plurality of information files displayed by said first display device;

a second display device configured to display the first information data, which are described in advance in the information file selected by said first selection device and related to the corresponding item;

a second selection device configured to select the first information data, which are displayed by said second display device;

a switching device configured to switch between an item name and an information file name of each of the plurality of information files previously stored in the external memory, to be displayed, when the switching attribute corresponding to the selected information file is defined;

an information data changing device configured to change the first information data, which are selected by the second selection device, when the information data changing attribute corresponding to the selected information file is defined;

an information data replacement device configured to replace the first information data, which are described in the information file selected by the first selection device, with second information data, which are previously described in the imaging apparatus and to register the second information data into the corresponding image file, when the information data replacement attribute corresponding to the selected information file is defined; and

an adding device configured to register the information data, which is selected from the information data described in advance in the selected information file by said second selection device, into the corresponding image file.

Regarding the rejection of Claim 1 under 35 U.S.C. § 102(e), the '778 patent is directed to associating descriptive data with digital image files. In particular, the '778 patent discusses that, after an image is acquired, a menu is displayed to a user. The '778 menu items may be, for example, descriptive terms, categories of content, relationships, or stored information created by the user. The '778 patent discusses that if the user's choice does not

have sub-menus, text corresponding to the user's choice is associated with an image data file of the acquired image.<sup>2</sup>

However, it is respectfully submitted that the '778 patent fails to disclose a connector configured to attach and detach said external memory in which a plurality of information files are stored, each of the plurality of information files including first information data related to an item being described in advance, and *one of a switching attribute, an information data changing attribute and an information data replacement attribute being defined corresponding to each of the plurality of information files*. Rather, the '778 patent discusses an external memory 150 in which a database 152 such as a dictionary of words, place names, events, or other descriptive terms is stored; display devices 510, 520 configured to display items such as categories of content which are categorized based on events or stored information created by the user; selection devices such as a button, configured to select the items; and a feature in that the file name, or the other information are displayed as the text corresponding to the user's choice.<sup>3</sup> The '778 patent does not disclose *one of a switching attribute, an information data changing attribute and an information data replacement attribute being defined corresponding to each of the plurality of information files*.

For a non-limiting example, according to the above features recited in amended Claim 1, in the digital camera, the information files each having one of three types of attributes are prepared in the external memory in advance, and a display screen or operational environment can be switched in accordance with the type of attribute. Thereby, there are advantageous effects in that the screen or operational environment can be automatically and suitably set in accordance with the attributes defined in the external memory in advance.

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<sup>2</sup> See '778 patent, column 4, lines 6-11, 17-22, and 41-43.

<sup>3</sup> Id. at column 3, lines 17-20; and column 4, lines 13-58.

Accordingly, it is respectfully submitted that the rejection of Claim 1 (and all associated dependent claims), as being anticipated by the '778 patent, is rendered moot by the present amendment to Claim 1.

Regarding the rejection of dependent Claim 16, it is respectfully submitted that the '038 patent fails to remedy the deficiencies of the '778 patent, as discussed above. Accordingly, it is respectfully submitted that the rejection of dependent Claim 16 is rendered moot by the present amendment to independent Claim 1.

Thus, it is respectfully submitted that independent Claim 1 (and all associated dependent claims) patentably defines over any proper combination of the '778 and '038 patents.

Consequently, in view of the present amendment and in light of the above-discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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